

Amendments to Constitution

and

Proposed Statutes

with

Arguments Respecting the Same

*To be Submitted to the Electors of the State of California
at the General Election on*

Tuesday, November 7, 1922

*Index, ballot titles with numbers, and certificate appear in last pages.
Proposed changes in provisions are printed in black-faced type.
Provisions proposed to be repealed are printed in italics.*

Compiled by
LEGISLATIVE COUNSEL BUREAU
and distributed by
SECRETARY OF STATE

**CALIFORNIA STATE PRINTING OFFICE
SACRAMENTO, 1922**

CERTIFICATE OF SECRETARY OF STATE.

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, CALIFORNIA.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that the foregoing twenty measures will be submitted to the electors of the State of California at the general election to be held throughout the State on the second day of November, 1920.

Witness my hand and the great seal of State, at office in Sacramento, California, the twentieth day of September, A. D. 1920.



Frank C. Jordan
Secretary of State.

DEPARTMENT OF STATE PRINTING
ROBERT L. TELFER, *Superintendent*
Sacramento, California

STATE TAXATION. Senate Constitutional Amendment 35 amending Section 14 of Article XIII of Constitution. Permits public utility paying state tax to deduct from gross receipts from operation of its business any amount it pays to another public utility when that amount is included in gross receipts from which tax of latter utility is computed; with certain exceptions, subjects to state taxation exclusively, at rate of two per cent upon their gross receipts from operation, companies operating motor vehicles for transportation of persons or property for compensation; increases bank stock rate; authorizes legislature to classify utilities for taxation purposes.

YES

NO

CHIROPRACTIC. Initiative Act. Creates Board of Chiropractic Examiners, appointed by Governor and paid from receipts under act; prescribes powers and duties thereof; prohibits practice of chiropractic without license therefrom, authorizing issuance thereof to certain chiropractic graduates and establishing prerequisites of study and other conditions to such issuance; provides for revocation of such licenses; declares chiropractic licentiates shall observe and be subject to all state and municipal regulations relating to all matters pertaining to public health, shall sign death certificates and make reports as required by law; prescribes penalties and repeals conflicting legislation.

YES

NO

USE OF STREAMS. Assembly Constitutional Amendment 41 adding Section 19a to Article XI of Constitution. Authorizes the state, or any political subdivision empowered to establish public works for such purpose, to provide itself or its inhabitants, in the manner therein provided, with water, electricity, or protection against flood by utilizing or controlling the waters of any stream outside this state or partly within this state; and to incur bonded indebtedness therefor as provided by law; these powers not limited by Section 31 of Article IV or Section 13 of Article XI of Constitution.

YES

NO

MUNICIPAL PUBLIC WORKS. Senate Constitutional Amendment 29, adding Section 20 to Article XI of Constitution. Authorizes two or more municipalities to acquire or control, by contract, public works for supplying inhabitants with light, water, power, heat, transportation, telephone or other utility service, or other matter of common municipal concern, subject to approval by two-thirds of electors in each city if contract provides for bonded indebtedness, otherwise by majority thereof, and thereafter by legislature without alteration or amendment; declares these powers supplement present powers and do not limit those granted by constitution to state or its political subdivisions.

YES

NO

WATER AND POWER. Initiative Measure adding Article XIVa to constitution. Creates board appointed by Governor and subject to recall, chairman receiving fifteen thousand dollars annually, other members twenty dollars per day when acting. Authorizes issuance of bonds not exceeding \$500,000,000. Empowers board to develop and distribute water and electric energy (giving state and political subdivisions certain preferential rights), do anything convenient therefor, fix rates to meet cost thereof and retire bonds in fifty years, use state waters and lands, and require reservation of water from appropriation and, when necessary in board's opinion, public lands from sale.

YES

NO

OSTEOPATHIC ACT. Initiative. Creates Board of Osteopathic Examiners appointed by Governor; prescribes powers and duties thereof; authorizes said board in respect to graduates of osteopathic schools to carry out provisions of Medical Practice Act of 1913, and acts amendatory thereof, and issue to them any form of certificate authorized thereunder; confers upon said board all functions relating to such graduates heretofore exercised by State Board of Medical Examiners; creates contingent fund from receipts under act, requiring compensation of members of board, and of persons appointed thereby, and all expenses incurred under act, to be paid only therefrom.

YES

NO

CHIROPRACTIC. Initiative Act. Creates Board of Chiropractic Examiners, appointed by Governor and paid from receipts under act; prescribes powers and duties thereof; prohibits practice of chiropractic without license therefrom, authorizing issuance thereof to certain chiropractic graduates and establishing prerequisites of study and other conditions to such issuance; provides for revocation of such licenses; declares chiropractic licensees shall observe and be subject to all state and municipal regulations relating to all matters pertaining to public health, shall sign death certificates and make reports as required by law; prescribes penalties and repeals conflicting legislation.

YES

NO

Sufficient qualified electors of the State of California present to the secretary of state this petition and request that a proposed measure, as hereinafter set forth, be submitted to the people of the State of California for their approval or rejection, at the next ensuing general election. The proposed measure is as follows:

PROPOSED LAW.

(Proposed changes from provisions of present laws are printed in black-faced type.)

An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the state board of chiropractic examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

The people of the State of California do enact as follows:

Section 1. A board is hereby created to be known as the "state board of chiropractic examiners," hereinafter referred to as the board, which shall consist of five members, citizens of the State of California, appointed by the governor. Each member must have pursued a resident course in a regularly incorporated chiropractic school or college, and must be a graduate thereof and hold a diploma therefrom.

Each member of the board first appointed hereunder shall have practiced chiropractic in the State of California for a period of three years next preceding the date upon which this act takes effect, thereafter appointees shall be licensees hereunder. No two persons shall serve simultaneously as members of said board, whose first diplomas were issued by the same school or college of chiropractic, nor shall more than two members be residents of any one county of the state. And no person connected with any chiropractic school or college shall be eligible to appointment as a member of the board. Each member of the board, except the secretary, shall receive a per diem of ten dollars for each day during which he is actually engaged in the discharge of his duties, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, such per diem traveling expenses and other incidental expenses of the board or of its members to be paid out of the funds of the board hereinafter defined and not from the state's taxes.

Sec. 2. Within sixty days of the date upon which this act takes effect, the governor shall appoint the members of the board. Of the members first appointed, one shall be appointed for a term of one year, two for two years, and two for three years. Thereafter, each appointment shall be for the term of three years, except that an appointment to fill a vacancy shall be for the unexpired term only. Each member shall serve until his successor has been appointed and qualified. The governor may remove a member from the board after receiving sufficient proof of the inability or misconduct of said member.

Sec. 3. The board shall convene within thirty days after the appointment of its members, and

shall organize by the election of a president, vice-president and secretary, all to be chosen from the members of the board. Thereafter elections of officers shall occur annually at the January meeting of the board. A majority of the board shall constitute a quorum.

It shall require the affirmative vote of three members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act. The secretary shall receive a salary to be fixed by the board in an amount not exceeding one thousand dollars per annum, but not per diem, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the state in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at all times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first day of December of each year he shall file with the governor a report of all receipts and disbursements and of the proceedings of the board for the preceding fiscal year.

Sec. 4. The board shall have power:

(a) To adopt a seal, which shall be affixed to all licenses issued by the board.

(b) To adopt from time to time such rules and regulations as the board may deem proper and necessary for the performance of its work, copies of such rules and regulations to be filed with the secretary of state for public inspection.

(c) To examine applicants and to issue and revoke licenses to practice chiropractic, as herein provided.

(d) To summon witnesses and to take testimony as to matters pertaining to its duties; and each member shall have power to administer oaths and take affidavits.

(e) To do any and all things necessary or incidental to the exercise of the powers and duties herein granted or imposed.

Sec. 5. It shall be unlawful for any person to practice chiropractic in this state without a license so to do. Any person wishing to practice chiropractic in this state shall make application to the board fifteen days prior to any meeting thereof, upon such form and in such manner as may be provided by the board. Each application must be accompanied by a license fee of twenty-five dollars and a certificate showing good moral character of the applicant. Except in the cases herein otherwise prescribed, each applicant shall be a graduate of an incorporated chiropractic school or college which teaches a course of not less than two thousand four hundred hours, extended over a period of three school terms of at least six months each, and must give satisfactory proof of having attended not less than ninety per cent of said two thousand four hundred hours, and shall present to the board at the time of making such application, a diploma from a high school, or proof satisfactory to the board of education equivalent in training power to a high school course.

The schedule of minimum educational requirements to enable any person to practice chiro-

practice in this state is as follows, to be taken as herein otherwise provided:

Anatomy	100 hours
Histology	100 hours
Elementary chemistry and toxicology	100 hours
Physiology	200 hours
Bacteriology	100 hours
Hygiene and sanitation	100 hours
Pathology	200 hours
Diagnosis or analysis	400 hours
Chiropractic theory and practice	500 hours
Obstetrics and gynecology	100 hours
Total	2400 hours

Sec. 6. (a) The board shall meet as a board of examiners on the first Tuesday following the second Monday of January and July of each year, and at such other times and places as may be found necessary for the performance of their duties. The office of the board shall be in the city of Sacramento. Sub-offices may be established in Los Angeles and San Francisco, and such records as may be necessary may be transferred temporarily to such sub-offices. Legal proceedings against the board may be instituted in any one of said three cities.

(b) Each applicant shall be designated by a number instead of the name, so that the identity will not be disclosed to the examiners until the papers are graded.

(c) All examinations shall be in writing, except in cases herein otherwise prescribed, and shall be practical in character, as taught in chiropractic schools or colleges, and designed to ascertain the fitness of the applicant to practice chiropractic. Said examinations shall be in each of the subjects as set forth in section five hereof. A license shall be granted to any applicant who shall make a general average of seventy-five per cent, and not fall below sixty per cent in more than two subjects or branches of said examination. Any applicant failing to make the required grade shall be given credit for the branches passed, and may, without further cost, take the examination at the next regular examination on the subjects in which he failed. For each year of actual practice since graduation the applicant shall be given a credit of one per cent on the general average.

Sec. 7. One form of certificate shall be issued by the board of chiropractic examiners, which said certificate shall be designated "License to practice chiropractic," which license shall authorize the holder thereof to practice chiropractic in the State of California as taught in chiropractic schools or colleges; and, also, to use all necessary mechanical, and hygienic and sanitary measures incident to the care of the body, but shall not authorize the practice of medicine, surgery, osteopathy, dentistry, or podiatry, nor the use of any drug or medicine now or hereafter included in materia medica.

Sec. 8. Any person who shall have practiced chiropractic for two years after graduation from a chiropractic school or college, one year of which shall have been in this state preceding the date upon which this act takes effect, or any person who graduated from a chiropractic school or college prior to January 1, 1922, and who shall present to the board satisfactory proof of good moral character and having pursued a resident course of not less than two thousand hours in a legally incorporated chiropractic school or college, shall be given a practical and clinical examination in chiropractic philosophy and practice, and if he, or she, make a grade of seventy-five per cent in such examination, the board shall grant a license to said applicant to practice chiropractic in this state under the provisions of this act; provided, however, that application for said license is made within six months of the date upon which this act takes effect and that each applicant shall pay to the secretary of the board the sum of twenty-five dollars.

Sec. 9. Notwithstanding any provision contained in any other section of this act the board, upon receipt of the fee of twenty-five dollars, shall issue a license to any of the following named persons:

- (a) To each member of the board.

Sec. 10. (a) The board shall refuse to issue, or may revoke, a license to practice chiropractic in this state, or may cause a licensee's name to be removed from all records of licensees, practitioners of chiropractic in this state, upon any of the following grounds, to wit:

The employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name; or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement, or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose service he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising. Any person who is licensee, or who is an applicant for a license to practice chiropractic, against whom any of the foregoing grounds for revoking or refusing a license is presented to the board with a view of having the board revoke or refuse to grant a license, shall be furnished with a copy of the complaint, and shall have a hearing before the board in person or by an attorney, and witnesses may be examined by the board respecting the guilt or innocence of the accused. The secretary on all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person the following: "This certificate was revoked on the _____ day of _____, giving the day, month and year of such revocation in accordance with said certification to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(b) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the sum of twenty-five dollars upon the issuance of a new license.

Sec. 11. (a) Every person who shall receive a license from the board shall have it recorded in the office of the county clerk of the county in which he resides, and shall have it likewise recorded in the counties into which he shall subsequently move for the purpose of practicing chiropractic.

(b) The failure or the refusal on the part of the holder of a license to have it recorded before he shall begin to practice chiropractic in this state, after having been notified by the board to do so, shall be sufficient ground to revoke or cancel a license and to render it null and void.

(c) The county clerk of each county in this state shall keep for public inspection, in a book provided for that purpose, a complete list and

for record he shall stamp upon the face thereof his signed memorandum of the date when such license was presented for record.

Sec. 12. Each person practicing chiropractic within this state shall, on or before the first day of January of each year, after a license is issued to him as herein provided, pay to said board of chiropractic examiners a renewal fee of two dollars. The secretary shall, on or before November first of each year, mail to all licensed chiropractors in this state a notice that the renewal fee will be due on or before the first day of January next following. Nothing in this act shall be construed to require the receipts to be recorded in like manner as original licenses. The failure, neglect or refusal of any person holding a license or certificate to practice under this act in the State of California to pay said annual fee of two dollars during the time his or her license remains in force shall, after a period of sixty days from the first day of January of each year, ipso facto, work a forfeiture of his or her license or certificate, and it shall not be restored except upon the written application therefor and the payment to the said board of a fee of ten dollars, except that such licensee who fails, refuses or neglects to pay such annual tax within a period of sixty days after the first day of January of each year shall not be required to submit to an examination for the reissuance of such certificate.

Sec. 13. Chiropractic licensees shall observe and be subject to all state and municipal regulations relating to all matters pertaining to the public health, and shall sign death certificates and make reports as required by law to the proper authorities, and such reports shall be accepted by the officers of the departments to which the same are made.

Sec. 14. All moneys received by the board under this act shall be paid to the secretary of said board, who shall give a receipt for the same and shall at the end of each month report to the state controller the total amount of money received by him on behalf of said board from all sources, and shall at the same time deposit with the state treasurer the entire amount of such receipts, and the state treasurer shall place the money so received in a special fund, to be known as the "state board of chiropractic examiners' fund," which fund is hereby created. Such fund shall be expended in accordance with law for all necessary and proper expenses in carrying out the provisions of this act, upon proper claims approved by said board or a finance committee thereof.

Sec. 15. Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractor" or "D. C." or any word or title to induce, or tending to induce belief that he is engaged in the practice of chiropractic, without first complying with the provisions of this act; or any licensee under this act who uses the word "doctor" or the prefix "Dr." without the word "chiropractor," or "D. C." immediately following his name, or the use of the letters "M. D." or the words "doctor of medicine," or the term "surgeon," or the term "physician," or the word "osteopath," or the letters "D. O." or any other letters, prefixes or suffixes, the use of which would indicate that he or she was practicing a profession for which he held no license from the State of California, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars and not more than two hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or both.

Sec. 16. Nothing in this act shall be construed to prohibit service in case of emergency, or the domestic administration of chiropractic, nor shall this act apply to any chiropractor from any other state or territory who is actually consulting with a licensed chiropractor in this state; provided, that such consulting chiropractor shall not open an office or appoint a place to

shall this act be construed so as to discriminate against any person who has received a diploma from a school of chiropractic, or any other institution, nor to regulate, prohibit or apply to any kind of treatment by prayer; nor to interfere in any way with the practice of religion. Nor shall this act apply to persons who are licensed under other acts.

Sec. 17. It shall be the duty of the several district attorneys of this state to prosecute all persons charged with the violation of any of the provisions of this act. It shall be the duty of the secretary of the board, under the direction of the board, to aid attorneys in the enforcement of this act.

Sec. 18. Nothing herein shall be construed as repealing the "medical practice act" of June 2, 1913, or any subsequent amendments thereof, except in so far as that act or said amendments may conflict with the provisions of this act as applied to persons licensed under this act, to which extent any and all acts or parts of acts in conflict herewith are hereby repealed.

Sec. 19. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The electors hereby declare that they would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.



EXISTING PROVISIONS.

Sections seven, nine, ten, eleven, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty-two and twenty-four of the state medical practice act, approved June 2, 1913, as amended, which is proposed to be modified in so far as the act relates to issuance of certificates to chiropractors and regulation of the practice of chiropractic, read as follows:

(Provisions differing from proposed chiropractic act are printed in italics.)

Sec. 7. Every applicant for a certificate shall pay to the secretary of the board a fee of *twenty-five dollars (\$25)*, which shall be paid to the treasurer of the board by said secretary. *In case the applicant's credentials are insufficient or in case he does not desire to take the examination, the sum of ten dollars (\$10) shall be retained, the remainder of the fee being returnable on application.*

Sec. 9. Every applicant must file with the board, at least *two weeks* prior to the regular meeting thereof, satisfactory testimonials of good moral character, and a diploma or diplomas issued by some legally chartered school or schools approved by the board, the requirements of which school or schools shall have been at the time of granting such diploma or diplomas in no degree less than those required under this act, or satisfactory evidence of having possessed such diploma or diplomas, and must file an affidavit stating that he is the person named in said diploma or diplomas, and that he is the lawful holder thereof, and that the same was procured in the regular course of instruction and examination without fraud or misrepresentation; *provided, further, that an applicant for a "drugless practitioner certificate" must show that he has attended two courses of study, each such course to have been of not less than thirty-two weeks duration, but not necessarily pursued continuously or consecutively.*

The said application shall be made upon a blank furnished by said board and it shall contain such information concerning the medical instruction and the preliminary education of the applicant as the board may by rule prescribe. In addition to the requirements hereinabove provided for, applicants for any form of certificate hereunder shall present to said board at the time of making such application a diploma from a California high school or other school in the State of California requiring and giving a full four years' course of same grade, or other schools elsewhere, requiring and giving a full four years' standard high school course, or its equivalent, approved by the board, together

with satisfactory results. The holder of such diploma, certificate or record in the regular course of instruction. The passing of an examination before the entrance examining board for the entrance to the academic department of the University of California, or Stanford University, or the University of Southern California, or the possession of documentary evidence of admission to the academic department of such institutions as a regular student or in full standing shall be sufficient basis or preliminary educational qualifications. In lieu of such diploma, the applicant may present: (1) a certificate from the college entrance examination board, or the college examining board of any state or territory showing that such applicant has successfully passed the examination of said board; or (2) if such applicant be thirty years or more of age he may show to the satisfaction of the board of medical examiners proof of preliminary education equivalent in training power to the foregoing requirements.

Sec. 10. Applicants for any form of certificate shall file satisfactory evidence of having pursued in any legally chartered school or schools, approved by the board, a course of instruction covering and including the following minimum requirements:

For a "Drugless Practitioner Certificate."	
Group 1. 600 hours.	
Anatomy	485 hours
Histology	115 hours
Group 2. 370 hours.	
Elementary chemistry and toxicology	70 hours
Physiology	200 hours
Group 3. 285 hours.	
Elementary bacteriology	40 hours
Hygiene	45 hours
Pathology	150 hours
Group 4. 370 hours.	
Diagnosis	370 hours
Group 5. 260 hours.	
Manipulative and mechanical therapy	260 hours
Group 6. 265 hours.	
Gynecology	100 hours
Obstetrics	165 hours
Total	2,000 hours

In the course of study herein outlined the hours required shall be actual work in the classroom, laboratory, clinic or hospital, and at least eighty (80) per cent of actual attendance shall be required; provided, that the hours herein required in any subject need not exceed seventy-five (75) per cent of the number specified, but that the total number of hours in all the subjects of each group shall not be less than the total number specified for such group.

Sec. 11. In addition to above requirements,

All applicants for "Drugless practitioner certificates" must pass an examination in the following subjects:

1. Anatomy and histology.
2. Physiology.
3. General diagnosis.
4. Pathology and elementary bacteriology.
5. Obstetrics and gynecology.
6. Toxicology and elementary chemistry.
7. Hygiene and sanitation.

All examinations shall be practical in character and designed to ascertain the applicant's fitness to practice his profession, and shall be conducted in the English language, and at least a portion of the examination in each of the subjects shall be in writing. The board in its discretion upon the submission of satisfactory proof from the applicant that he is unable to meet the requirements of the examination in the English language, may allow the use of an interpreter either to be present in the examination room or to thereafter interpret and transcribe the answers of the applicant. The selection of such interpreter is to be left entirely to the board and the expenses thereof to be borne by

applicant to which shall be added a fee of not less than a general average of not less than five per cent, and not less than one per cent, for any two subjects; provided, that an applicant shall be granted a credit of one per cent, on the general average for each year of actual practice since graduation; provided, further, that any applicant for a "Drugless practitioner certificate" obtaining seventy-five (75) per cent, each in five subjects, shall be subsequently re-examined in those subjects only in which he failed, and without additional fee. Any person who at any time prior to January 1, 1916, shall pay to the secretary of said board the fee of twenty-five dollars and submit satisfactory proof of good moral character and of a resident one-year course or not less than one thousand hours in a legally chartered school approved by the board and satisfactory proof of three years of actual practice of a drugless system of the healing art, such three years of actual practice to have been in the State of California, shall be admitted to the drugless practitioner examination; * * * Any one who shall pay the fee of fifty dollars to the secretary of the board prior to January 1, 1916, and submit to the board satisfactory proof of good moral character and proof of six years' actual practice of a drugless system of the healing art, three years of which must have been in the State of California, and satisfactory proof of a resident one-year course of not less than one thousand hours in a legally chartered school approved by the board and upon proof of competency in a drugless system may be granted a certificate to practice a drugless system in this state.

The examination papers shall form a part of the records of the board, and shall be kept on file by the secretary for a period of one year after each examination. In said examination the applicant shall be known and designated by number only, and the name attached to the number shall be kept secret until after the board has finally voted upon the application. The secretary of the board shall in no instance participate as an examiner in any examination held by the board. All questions on any subject in which examination is required under this act shall be provided by the board of medical examiners upon the morning of the day upon which examination is given in such subject, and when it shall be shown that the secretary or any member of the board has in any manner given information in advance of or during examination to any applicant it shall be the duty of the governor to remove such person from the board of medical examiners, or from the office of secretary.

All certificates issued hereunder must state the extent and character of practice which is permitted thereunder and shall be in such form as shall be prescribed by the board.

Sec. 13. Said board must also issue a certificate to practice a system or mode of treating the sick or afflicted recognized by this act or any preceding practice act in the State of California, to any applicant, without any examination, authorizing the holder thereof to practice a system or mode of treating the sick or afflicted in the State of California, upon payment of a registration fee of one hundred dollars, upon the following terms and conditions and upon satisfactory proof thereof, viz: The applicant shall produce a certificate entitling him to practice a system or mode of treating the sick or afflicted, as provided in this act or any preceding practice act of the State of California, issued either by the medical examining board, or by any other board or officer authorized by the law to issue a certificate entitling such applicant to practice a system or mode of treating the sick or afflicted either in the District of Columbia or in any state or territory of the United States, or if such certificate shall have been lost, then a copy thereof, with proof satisfactory to the board of medical examiners of the State of California that the copy is a correct copy. Said certificate must not have been issued to such applicant

first day of August, 1901, and the applicant shall have graduated, and the requirements of the board which was legally authorized to issue such certificate permitting such applicant to practice a system or mode of treating the sick or afflicted shall not have been at the date of the issuance of such certificate, in any degree less than those which were required for the issuance of a similar certificate for a system or mode of treating the sick or afflicted in the State of California at the date of the issuance of such certificate, or which may be required by law and which may be required at the date of the issuance of any such certificate; and provided, further, that said applicant shall furnish from the board which issued the certificate, evidence satisfactory to the medical examiners of the State of California showing what the requirements were of the college and of the board, issuing such certificate at the date of such issuance. If, after an examination of such certificate, and the production on the part of the applicant of such further reasonable evidence of the said requirements as may be deemed necessary by the board of medical examiners of the State of California, and any other or further examination or investigation which said board may see fit to make on its own part, it shall be found that the requirements of the board issuing such certificate were, in any degree less than the requirements provided by the laws of the State of California at the date of the issuance of such certificate or that the applicant has not been a resident of the State from which the application is based for a period of one year subsequent to the issuance of such certificate he will not be entitled to practice within the State of California without an examination. An oral examination shall not be deemed to be of equal merit with a written examination and no certificate shall be issued in any case where a written examination was given in California and an applicant was given an oral examination in another state at the same time. The board is hereby authorized to enter into a compact or contracts of reciprocity with other states wherein the standard of such states is in any degree or particular less than were the requirements in the State of California in the same year, for the issuance of a certificate for a system or mode of treating the sick or afflicted, such certificate to be similar in its requirements as the certificate issued in the State of California; provided, however, that an applicant issued upon a certificate to practice any system or mode of treating the sick or afflicted in the District of Columbia or in any state or territory prior to March 1, 1901, if refused or suspended by reason of the insufficiency of the requirements of such state or territory then such applicant may have the privilege of either a written or oral examination before the board at the discretion of the applicant.

Said board must refuse a certificate to any applicant guilty of unprofessional conduct on the filing with the secretary of a complaint, charging the applicant with such conduct, and if the applicant has been guilty of unprofessional conduct, the secretary must forthwith issue a citation, under the seal of the board, and make the same return at the next regular session of said board, occurring at least thirty days after the filing of the complaint. Such citation shall notify the applicant when and where the charges of unprofessional conduct will be heard and the applicant shall file his written answer thereto, within twenty days next after the date on which said citation or that default is made against him and his application for a certificate refused. The attendance of the applicant at such hearing may be compelled by a subpoena issued by the secretary of the board under the seal. Said citation and said subpoena shall be served in accordance with the provisions of this state then in force as to the service of citations and subpoenas generally, and the provisions of the statutes of this state relating to subpoenas and to citations shall be made applicable to the subpoenas and citations provided for herein. Upon

the secretary's certifying to the fact of refusal of any person to obey a subpoena or citation to the superior court of the county in which the service was had, said court shall thereupon proceed to hear said matter in accordance with the statutes of this state then in force as to contempt for disobedience of process of the court, and should said court find that the subpoena or citation has been legally served, and that the party so served has wilfully disobeyed the same, it shall proceed to impose such penalty as provided in cases of contempt of court. In all cases of alleged unprofessional conduct, arising under this act, depositions of witnesses may be taken, the same as in civil cases and all the provisions of the statutes of this state then in force as to the taking of depositions are hereby made applicable to the taking of depositions under this act. If the applicant shall fail to file with the secretary of said board his answer, under oath, within twenty days after service on him of said citation, or within such further time as the board may allow, and the charges on their face shall be deemed sufficient by the board, default shall be entered against him, and his application refused. If the charges on their face be deemed sufficient by the board, and issue be joined thereon by answer, the board shall proceed to determine the matter, and to that end shall hear such proper evidence as may be adduced before it, and if it appear to the satisfaction of the board that the applicant is guilty as charged, no certificate shall be issued to him. Whenever any holder of a certificate herein provided for is guilty of unprofessional conduct, as the same is defined in this act, and the said unprofessional conduct has been brought to the attention of the board granting said certificate, in the manner hereinafter provided or whenever a certificate has been procured by fraud or misrepresentation or issued by mistake or that the certificate upon which a reciprocity certificate has been issued was procured by fraud or misrepresentation or issued by mistake or the person holding such certificate is found to be practicing contrary to the provisions thereof and of this act, it shall be the duty of the board and the board shall have power to suspend the right of the holder of said certificate to practice for a period not exceeding one year or to place the holder of said certificate upon probation or suspend judgment in such cases or revoke his certificate, or take such other action in relation to the punishment of the holder of said certificate as in its discretion it may deem proper. In the event of such suspension the holder of such certificate shall not be entitled to practice thereunder during the term of suspension; but, upon the expiration of the term of said suspension, he shall be reinstated by the board and shall be entitled to resume his practice, unless it shall be established to the satisfaction of the board that said person so suspended from practice, has, during the term of such suspension, practiced in the State of California, in which event the board shall revoke the certificate of such person. No such suspension or revocation shall be made unless such holder is cited to appear and the same proceedings are had as is heretofore provided in this section in case of refusal to issue certificates. Said secretary in all cases of suspension or revocation shall enter on his register the fact of such suspension or revocation, as the case may be, and shall certify the fact of such suspension or revocation under the seal of the board, to the county clerk of the counties in which the certificates of the persons whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person, the following: "The holder of this certificate was on the _____ day of _____ suspended for _____ or _____ This certificate was revoked on the _____ day of _____ as the case may be, giving the day, month and year of such revocation or length of suspension, as the case may be, in accordance with said certification to him by said secretary. The record of such suspension or revocation so made by said county clerk shall be prima facie evidence

the fact thereof, and of the regularity of all the proceedings of said board in the matter of said suspension or revocation; provided, further, that the holder of any certificate which has been revoked or suspended by the board of medical examiners, may within twenty days after receiving notice of said revocation or suspension of his said license, appeal to the superior court of the State of California in the county or city and county in which such suspension or revocation was made by the board of medical examiners. Upon such appeal being taken by such person whose license has been revoked or suspended by the board of medical examiners in accordance with the provisions of this act, the said superior court shall have full power to review all of the proceedings and testimony taken in said hearing before the board of medical examiners, and to inquire into the sufficiency of the evidence upon which such suspension or revocation was made. If the court finds the evidence sufficient to sustain the judgment of the board, said judgment shall be upheld and affirmed, and if the court deems such evidence insufficient to justify the judgment of the board of medical examiners in revoking or suspending the license of the petitioner, said superior court shall have full power to annul or reverse said judgment. The words "unprofessional conduct" as used in this act, are hereby declared to mean:

First—The procuring or aiding or abetting or attempting or agreeing or offering to procure a criminal abortion.

Second—The willful betraying of a professional secret.

Third—All advertising of medical business which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons, and so be harmful or injurious to public morals or safety.

Fourth—All advertising of any medicine or of any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed.

Fifth—Conviction of any offense involving moral turpitude in which case the record of such conviction shall be conclusive evidence.

Sixth—Habitual intemperance or excessive use of cocaine, opium, morphine, codeine, heroin, alpha eucaine, beta eucaine, novocaine or chloral hydrate or any of the salts, derivatives or compounds of the foregoing substances or the prescribing, selling, furnishing, giving away or offering to prescribe, sell, furnish, or give away such substances to a habitue who is not under the direct personal and continuous treatment and care of the physician for the cure of the above mentioned drugs.

Seventh—The personation of another licensed practitioner or permitting or allowing another person to use his certificate in the practice of any system or mode of treating the sick or afflicted.

Eighth (a)—Employing directly or indirectly any suspended or unlicensed practitioner in the practice of any system or mode of treating the sick or afflicted or the aiding or abetting any unlicensed person to practice any system or mode of treating the sick or afflicted.

Eighth—The use, by the holder of any certificate, in any sign or advertisement in connection with his said practice or in any advertisement or announcement of his practice, of any fictitious name, or any name other than his own.

Ninth—The use, by the holder of a "drugless practitioner certificate" of drugs or what are known as medicinal preparations, in or upon any human being, or the severing or penetrating by the holder of said "drugless practitioner certificate" of the tissues of any human being in the treatment of any disease, injury, deformity, or other physical or mental condition of such human being, excepting the severing of the umbilical cord.

Tenth—Advertising, announcing or stating, directly, indirectly, or in substance, by any sign, card, newspaper, advertisement or other written or printed sign or advertisement, that the holder of such certificate or any other person, company, or association by which he is employed or in whose service he is, will cure or attempt to cure, or will treat, any venereal disease, or will cure or attempt to cure or treat any person or

persons for any sexual disease, for lost manhood, sexual weakness, or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of, any person, firm, association, or corporation so advertising, announcing or stating.

Eleventh—The use by the holder of any certificate of any letter, letters, word, words, or term or terms used either as prefix or affix or suffix indicating that such certificate holder is entitled to practice a system or mode of treating the sick or afflicted for which he was not licensed in the State of California.

Twelfth—The employment of "cappers" or "steers" or other persons in procuring practice for a practitioner for a system or mode of treating the sick or afflicted provided for in this act.

Sec. 15. Every person holding a certificate under the laws of this state authorizing him to practice any system or mode of treating the sick or afflicted in this state must have it recorded in the office of the county clerk of the county or counties in which the holder of said certificate is practicing his profession, and the fact of such recordation shall be endorsed on the certificate by the county clerk recording the same. Any person holding a certificate as aforesaid, who shall practice or attempt to practice any system or mode of treating the sick or afflicted in this state, without having first filed his certificate with the county clerk, as herein provided, shall be deemed guilty of a misdemeanor and shall be punished as hereinafter designated in this act.

Sec. 16. The county clerk shall keep in a book provided for the purpose a complete list of the certificates recorded by him, with the date of the record; and said book shall be open to public inspection during his office hours.

Sec. 17. Any person who shall practice or attempt to practice, or who advertises or holds himself out as practicing, any system or mode of treating the sick or afflicted in this state, or who shall diagnose, treat, operate for, or prescribe for, any disease, injury, deformity, or other mental or physical condition of any person, without having at the time of so doing a valid unrevoked certificate as provided in this act, or who shall in any sign or in any advertisement use the word "doctor," the letters or prefix "Dr.," the letters "M. D.," or any other term or letters indicating or implying that he is a doctor, physician, surgeon or practitioner, under the terms of this or any other act, or that he is entitled to practice hereunder, or under any other law without having at the time of so doing a valid unrevoked certificate as provided in this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished as designated in this act.

Sec. 18. Any person, or any member of any firm, or official of any company, association, organization or corporation shall be guilty of a misdemeanor and upon conviction thereof shall be punishable as designated in this act, who, individually or in his official capacity, shall himself sell or barter, or offer to sell or barter, any certificate authorized to be granted hereunder, or any diploma, affidavit, transcript, certificate or any other evidence required in this act for use in connection with the granting of certificates or diplomas, or who shall purchase or procure the same either directly or indirectly with intent that the same shall be fraudulently used, or who shall with fraudulent intent alter any diploma, certificate, transcript, affidavit, or any other evidence to be used in obtaining a diploma or certificate required hereunder or who shall use or attempt to use fraudulently any certificate, transcript, affidavit, or diploma, whether the same be genuine or false, or who shall practice or attempt to practice any system or treatment of the sick or afflicted, under a false or assumed name, or any name other than that prescribed by the board of medical examiners of the State of California on its certificate issued to such person authorizing him to administer such treatment, or who shall assume any degree or title not conferred upon him in the manner and by the authority recognized in this act, with intent to represent falsely that he has received such degree or title, or who shall willfully make any false statement on any application for examination, license or regis-

the treatment of the sick or afflicted without causing to be displayed in a conspicuous manner and in a conspicuous place in his office the name of each and every person who is associated with or employed by him in the practice of medicine and surgery or other treatment of the sick or afflicted, or who shall, within ten days after demand made by the secretary of the board, fail to furnish to said board the name and address of all such persons associated with or employed by him or by any company or association with which he is or has been connected at any time within sixty days prior to said notice, together with a sworn statement showing under and by what license or authority said person or persons, or said employee or employees, is or are, or has or have been practicing medicine or surgery, or any other system of treatment of the sick or afflicted. It shall be the duty of any person or persons upon whom the board of medical examiners may make a demand for the name or names and address or addresses of a person or persons associated or employed by him or them to make affidavit that there are no such person or persons associated or employed by him or them, if such be the fact; provided, that such affidavit shall not be used as evidence against said person or employee in any proceedings under this act.

Sec. 19. Every person filing for record, or attempting to file for record, the certificate issued to another, falsely claiming himself to be the person named in or entitled to, such certificate, shall be guilty of a felony, and, upon conviction thereof, shall be subject to such penalties as are provided by the laws of this state for the crime of forgery.

Sec. 22. Nothing in this act shall be construed to prohibit service in the case of emergency, or the domestic administration of family remedies; nor shall this act apply to any commissioned medical officer in the United States army, navy or marine hospital, or public health service, in the discharge of his official duties; nor to any licensed dentist when engaged exclusively in the practice of dentistry. Nor shall this act apply to any practitioner from another state or territory, when in actual consultation with a licensed practitioner of this state, if such practitioner is, at the time of such consultation, a licensed practitioner in the state or territory in which he resides; provided, that such practitioner shall not open an office or appoint a place to meet patients or receive calls within the limits of this state. Nor shall this act be construed so as to discriminate against any particular school of medicine or surgery, or any other treatment, not to regulate, prohibit or to apply to, any kind of treatment by prayer, nor to interfere in any way with the practice of religion. Nothing in this act shall be construed to prevent a student regularly matriculated in any legally chartered school or schools approved by the board from treating without compensation to such student the sick or afflicted as a part of his course of study.

Sec. 25. This act when referred to, cited or amended may be designated as the state medical practice act, and for a violation of any provision of this act, the said violator shall be guilty of a misdemeanor, unless otherwise specifically provided in this act, and shall be punished by a fine of not less than one hundred dollars nor more than six hundred dollars or by imprisonment for a term of not less than sixty days nor more than one hundred eighty days or by both such fine and imprisonment. The fines or forfeitures of bail in any case wherein any person is charged with a violation of the provisions of this act shall be paid upon the collection by the proper officer of the court seventy-five per cent thereof to the state treasurer to be deposited to the credit of the contingent fund of the board of medical examiners and such payment to said treasurer shall be made without placing such fine or forfeiture of bail in any special or contingent or general fund of any county, city and county, city, or township. The balance or twenty-five per cent of such fines or forfeitures of bail shall be paid to the county wherein the case is pending.

[Ninety-four]

CHIROPRACTIC ACT.

Your vote "Yes" on the Chiropractic Initiative Bill is urged for many reasons, some of which are set forth herein, and all of which are consistent with American ideals, just to all and do injury to none.

Under this bill there will be a board of five competent chiropractors, appointed by the Governor, to examine and license chiropractors. No chiropractor will be licensed without examination. The board will be self-sustaining, incurring no additional expense to the taxpayers. It provides for high and proper standards of chiropractic education, a high school diploma or its equivalent, requires four hundred hours more than drugless section of present Medical Act, conforms to all general health laws administered by the board of health and prohibits the use of drugs, surgery or the practice of obstetrics by chiropractors, thus guaranteeing to the people competency of chiropractors and protection from the ignorant or unscrupulous, which the medical law, administered by medical men, does not and can not do.

The teachings and practice of chiropractic are admittedly different from those of medicine, therefore, the members of the Medical Board, who are without training in the science of chiropractic, have never studied it, do not practice it, brand it as unscientific and absurd, are its competitors, and desire only to destroy it, can not intelligently and without prejudice examine the chiropractor in his system of practice.

To illustrate: It would be as reasonable to permit the Mikado to direct our shipbuilding and examine U. S. Naval officers as to permit the Medical Board, dominated by M.D.'s, to examine and control their chief competitors.

The progress of chiropractic, little short of marvelous, has been made under extremely unfavorable conditions. Denied ordinary freedom from oppression by political medicine, having no hospital facilities, no endowments of their schools or other institutions, no support of society except the commercial side resulting from the good they have done, they have reached the point where within the last seven years twenty-two states have enacted laws similar to the one now proposed in California.

The Medical Board, empowered, as it now is, to exercise unlimited authority over the practice of chiropractic, is using the medical law to throttle chiropractic and prohibit its practice in California.

The medical law, as administered by the Medical Board, has no reasonable tendency to promote the public safety and welfare.

The people of California demand that anyone who proposes to serve them in matters of health shall possess proper qualifications; therefore the demand for a board of chiropractic examiners to examine chiropractors and intelligently consider their qualifications. In this way only may the will and best interests of the people of California be served.

The following facts should be remembered:

The only opposition to this bill is by political doctors.

No chiropractic examinations were ever held in California.

No chiropractic licenses were ever issued in California.

No chiropractic licenses CAN be issued under present law.

In view of the foregoing, and in the interests of right and justice, vote "Yes."

G. A. LYNCH.

ARGUMENT AGAINST PROPOSED NEW CHIROPRACTIC BOARD.

To create two new boards, not only to duplicate but to triplicate the work now being done effectively and economically by one responsible board of examiners, is the extravagant purpose of Number 16, the Chiropractic Initiative, and Number 20, the Osteopathic Initiative. Both measures should be defeated as unnecessary and unsafe legislation.

California already has a competent Board of Examiners created by law, charged with the duty of determining, by impartial examination, the qualifications of all applicants, including chiropractors, who desire to treat diseases, injuries, deformities, physical or mental afflictions of human beings. Examinations are necessary to safeguard the lives and health of the people from incompetents, impostors and quacks. Citizens have the right to expect that anyone the state licenses shall possess a certain amount of knowledge of the causes and courses of diseases and the complex functions of the intricate human machine.

Examinations are open to all qualified applicants. Many chiropractors have taken and passed the examination and are now legally licensed and practicing in California. Any applicant who can meet the reasonable requirements of the present state law and pass a 75% examination can receive a license.

To create a new board for the special benefit of those who are unable or unwilling to take the state examination is to approve ignorance and license lawlessness.

Chiropractors and osteopaths constitute only two of the twenty-seven drugless cults of California. If a new board is created for chiropractors and another new board for osteopaths, it is obvious that the other twenty-five drugless cults are equally entitled to special boards. This would result in a chaotic condition constantly menacing the public health.

The California legislature at five different sessions carefully investigated and considered chiropractic demands for a new board based upon charges that the present board of medical examiners is incompetent and unfair. Each time the chiropractic charges were found untrue and the chiropractic bill was consequently rejected five times as without merit.

Some of the many dangerous features of the chiropractic act are: It lowers educational standards; it removes vital public health safeguards; under its provisions thousands of graduates of "fly by night" schools may be licensed with practically no examination at all; it neglects to define "chiropractic." To create a new board and grant powers to it to license those of inferior education to practice an undefined and uncertain thing is unsafe.

The law governing the Board of Medical Examiners has been upheld by our courts as valid, reasonable and enforceable without one dissenting opinion. Governor Johnson and Governor Stephens selected an able board. If the present board becomes incompetent or unfair the governor has authority to select a new board. The courts can review and reverse the Board's decisions. Such a well-selected, responsible board assures all applicants of impartial and competent consideration and assures the people of California adequate protection.

To maintain educational standards and public health safeguards, vote "No" on Number 16.

HOMER R. SPENCE,

Assemblyman Thirty-fifth Assembly District.

PROPOSITIONS, CONSTITUTIONAL AMENDMENTS AND REFERENDUM
MEASURES—Continued.

Counties	15 State Taxation. Senate Constitutional Amendment, 35 amending Section 14 of Article XIII of Constitution. Permits public utility paying state tax to deduct from gross receipts from operation of its business any amount it pays to another public utility when that amount is included in gross receipts from which tax of latter utility is computed; with certain exceptions, subjects to state taxation exclusively, at rate of two per cent upon their gross receipts from operation, companies operating motor vehicles for transportation of persons or property for compensation; increases bank stock rates; authorizes legislature to classify utilities for taxation purposes.		16 Chiropractic. Initiative Act. Creates Board of Chiropractic Examiners, appointed by Governor and paid from receipts under act; prescribes powers and duties thereof; prohibits practice of chiropractic without license therefrom; authorizes issuance thereof to certain chiropractic graduates and establishes prerequisites of study and other conditions to such issuance; provides for revocation of such licenses, declares chiropractic licentiates shall observe and be subject to all state and municipal regulations relating to all matters pertaining to public health, shall sign death certificates and make reports as required by law; prescribes penalties and repeals conflicting legislation.	
	Yes	No	Yes	No
Alameda.....	20,357	46,445	46,813	39,750
Alpine.....	5	19	8	15
Amador.....	278	980	403	1,034
Butte.....	1,701	3,784	3,482	3,915
Calaveras.....	259	821	465	915
Colusa.....	469	1,397	1,390	1,079
Contra Costa.....	2,549	6,235	7,107	5,435
Del Norte.....	99	341	169	402
El Dorado.....	545	964	1,220	856
Fresno.....	9,481	9,550	19,181	15,156
Glenn.....	714	1,546	2,220	1,166
Humboldt.....	1,416	5,261	4,315	3,805
Imperial.....	1,167	1,973	3,121	1,507
Inyo.....	517	774	1,280	609
Kern.....	3,537	6,197	9,399	4,902
Kings.....	1,066	2,315	1,702	2,801
Lake.....	215	818	514	767
Lassen.....	389	899	894	816
Los Angeles.....	55,123	88,160	155,700	63,404
Madera.....	785	1,128	1,844	1,153
Marin.....	1,407	4,797	3,598	4,017
Mariposa.....	98	303	219	372
Mendocino.....	653	3,024	2,021	2,643
Merced.....	1,143	2,116	2,783	2,034
Modoc.....	161	1,011	734	722
Mono.....	49	50	99	58
Monterey.....	1,198	3,119	3,509	2,472
Napa.....	1,287	3,010	3,193	2,544
Nevada.....	605	1,282	901	1,559
Orange.....	5,093	7,274	14,547	4,388
Placer.....	1,279	2,055	2,008	2,288
Plumas.....	210	476	397	462
Riverside.....	2,830	5,074	8,417	3,640
Sacramento.....	9,503	7,590	14,437	8,672
San Benito.....	433	1,333	1,256	1,194
San Bernardino.....	5,341	7,847	12,775	5,364
San Diego.....	9,186	10,750	20,995	7,731
San Francisco.....	18,606	75,066	52,541	60,010
San Joaquin.....	1,774	8,954	9,610	7,829
San Luis Obispo.....	1,500	2,870	2,555	2,937
San Mateo.....	1,903	5,423	4,943	4,698
Santa Barbara.....	2,556	3,125	5,299	3,090
Santa Clara.....	5,937	11,978	13,859	11,234
Santa Cruz.....	1,796	3,464	4,798	2,630
Shasta.....	755	1,979	3,014	1,225
Sierra.....	92	216	163	237
Siskiyou.....	875	2,193	2,143	2,093
Solano.....	2,254	4,524	4,710	4,002
Sonoma.....	2,682	7,507	7,541	6,330
Stanislaus.....	2,830	5,229	5,828	5,161
Sutter.....	461	1,169	1,105	1,276
Tehama.....	716	1,759	2,036	1,369
Trinity.....	172	362	297	384
Tulare.....	4,311	6,181	7,973	6,741
Tuolumne.....	417	1,163	867	1,125
Ventura.....	1,454	2,778	4,498	2,088
Yolo.....	1,257	2,151	1,749	2,489
Yuba.....	628	1,286	1,655	1,224
Totals.....	197,514	390,309	481,600	327,849

Number
on ballot.

16. Chiropractic.

[Submitted by the initiative and approved by electors November 7, 1922.
In effect December 21, 1922.]

An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the state board of chiropractic examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith.

The people of the State of California do enact as follows:

State board
of chiroprac-
tic examiners
created.

SECTION 1. A board is hereby created to be known as the "state board of chiropractic examiners," hereinafter referred to as the board, which shall consist of five members, citizens of the State of California, appointed by the governor. Each member must have pursued a resident course in a regularly incorporated chiropractic school or college, and must be a graduate thereof and hold a diploma therefrom.

Qualification
of members.

Each member of the board first appointed hereunder shall have practiced chiropractic in the State of California for a period of three years next preceding the date upon which this act takes effect, thereafter appointees shall be licentiates hereunder. No two persons shall serve simultaneously as members of said board, whose first diplomas were issued by the same school or college of chiropractic, nor shall more than two members be residents of any one county of the state. And no person connected with any chiropractic school or college shall be eligible to appointment as a member of the board. Each member of the board, except the secretary, shall receive a per diem of ten dollars for each day during which he is actually engaged in the discharge of his duties,

Rehutation-
tion.

together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, such per diem traveling expenses and other incidental expenses of the board or of its members to be paid out of the funds of the board hereinafter defined and not from the state's taxes.

SEC. 2. Within sixty days of the date upon which this act takes effect, the governor shall appoint the members of the board. Of the members first appointed, one shall be appointed for a term of one year, two for two years, and two for three years. Thereafter, each appointment shall be for the term of three years, except that an appointment to fill a vacancy shall be for the unexpired term only. Each member shall serve until his successor has been appointed and qualified. The governor may remove a member from the board after receiving sufficient proof of the inability or misconduct of said member.

Appoint-
ment and
terms.

SEC. 3. The board shall convene within thirty days after the appointment of its members, and shall organize by the election of a president, vice president and secretary, all to be chosen from the members of the board. Thereafter elections of officers shall occur annually at the January meeting of the board. A majority of the board shall constitute a quorum.

Election of
officers.

It shall require the affirmative vote of three members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act. The secretary shall receive a salary to be fixed by the board in an amount not exceeding one thousand dollars per annum, but not per diem, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the state in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at all times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first day of December of each year he shall file with the governor a report of all receipts and disbursements and of the proceedings of the board for the preceding fiscal year.

Secretary's
salary, bond
and duties.

SEC. 4. The board shall have power:

(a) To adopt a seal, which shall be affixed to all licenses issued by the board.

Powers of
board.

(b) To adopt from time to time such rules and regulations as the board may deem proper and necessary for the performance of its work, copies of such rules and regulations to be filed with the secretary of state for public inspection.

(c) To examine applicants and to issue and revoke licenses to practice chiropractic, as herein provided.

(d) To summon witnesses and to take testimony as to matters pertaining to its duties; and each member shall have power to administer oaths and take affidavits.

(e) To do any and all things necessary or incidental to the exercise of the powers and duties herein granted or imposed.

SEC. 5. It shall be unlawful for any person to practice chiropractic in this state without a license so to do. Any person wishing to practice chiropractic in this state shall make application to the board fifteen days prior to any meeting thereof, upon such form and in such manner as may be provided by the board. Each application must be accompanied by a license fee of twenty-five dollars and a certificate showing good moral character of the applicant. Except in the cases herein otherwise prescribed, each applicant shall be a graduate of an incorporated chiropractic school or college which teaches a course of not less than two thousand four hundred hours, extended over a period of three school terms of at least six months each, and must give satisfactory proof of having attended not less than ninety per cent of said two thousand four hundred hours, and shall present to the board at the time of making such application a diploma from a high school, or proof, satisfactory to the board, of education equivalent in training power to a high school course.

License to
practice.

Fee.

Educational
require-
ments.

The schedule of minimum educational requirements to enable any person to practice chiropractic in this state is as follows, to wit, except as herein otherwise provided:

Anatomy	600 hours
Histology	100 hours
Elementary chemistry and toxicology	100 hours
Physiology	200 hours
Bacteriology	100 hours
Hygiene and sanitation	100 hours
Pathology	200 hours
Diagnosis or analysis	400 hours
Chiropractic theory and practice	500 hours
Obstetrics and gynecology	100 hours
Total	2400 hours

Meetings of board.

Offices.

Applicants designated by number.

Examinations.

Certificate to practice.

Examination of practitioner.

Who else to be licensed.

SEC. 6. (a) The board shall meet as a board of examiners on the first Tuesday following the second Monday of January and July of each year, and at such other times and places as may be found necessary for the performance of their duties. The office of the board shall be in the city of Sacramento. Sub-offices may be established in Los Angeles and San Francisco, and such records as may be necessary may be transferred temporarily to such sub-offices. Legal proceedings against the board may be instituted in any one of said three cities.

(b) Each applicant shall be designated by a number instead of the name, so that the identity will not be disclosed to the examiners until the papers are graded.

(c) All examinations shall be in writing, except in cases herein otherwise prescribed, and shall be practical in character, as taught in chiropractic schools or colleges, and designed to ascertain the fitness of the applicant to practice chiropractic. Said examinations shall be in each of the subjects as set forth in section five hereof. A license shall be granted to any applicant who shall make a general average of seventy-five per cent, and not fall below sixty per cent in more than two subjects or branches of said examination. Any applicant failing to make the required grade shall be given credit for the branches passed, and may, without further cost, take the examination at the next regular examination on the subjects in which he failed. For each year of actual practice since graduation the applicant shall be given a credit of one per cent on the general average.

SEC. 7. One form of certificate shall be issued by the board of chiropractic examiners, which said certificate shall be designated "License to practice chiropractic," which license shall authorize the holder thereof to practice chiropractic in the State of California as taught in chiropractic schools or colleges; and, also, to use all necessary mechanical, and hygienic and sanitary measures incident to the care of the body, but shall not authorize the practice of medicine, surgery, osteopathy, dentistry or optometry, nor the use of any drug or medicine now or hereafter included in materia medica.

SEC. 8. Any person who shall have practiced chiropractic for two years after graduation from a chiropractic school or college, one year of which shall have been in this state preceding the date upon which this act takes effect, or any person who graduated from a chiropractic school or college prior to January 1, 1922, and who shall present to the board satisfactory proof of good moral character and having pursued a resident course of not less than two thousand hours in a legally incorporated chiropractic school or college, shall be given a practical and clinical examination in chiropractic philosophy and practice, and if he, or she, make a grade of seventy-five per cent in such examination, the board shall grant a license to said applicant to practice chiropractic in this state under the provisions of this act; *provided, however*, that application for said license is made within six months of the date upon which this act takes effect and that each applicant shall pay to the secretary of the board the sum of twenty-five dollars.

SEC. 9. Notwithstanding any provision contained in any other section of this act the board, upon receipt of the fee of twenty-five dollars, shall issue a license to any of the following named persons:

(a) To each member of the board.

(b) To any person licensed to practice chiropractic under the laws of another state, having the same general requirements as prescribed in this act; and provided, further, that such other state in like manner grants reciprocal registration to chiropractic practitioners of this state.

SEC. 10. (a) The board shall refuse to grant, or may revoke, a license to practice chiropractic in this state, or may cause a licensee's name to be removed from all records of licensed practitioners of chiropractic in this state, upon any of the following grounds, to wit:

The employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name; or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement, or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose service he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising. Any person who is a licensee, or who is an applicant for a license to practice chiropractic, against whom any of the foregoing grounds for revoking or refusing a license is presented to the board with a view of having the board revoke or refuse to grant a license, shall be furnished with a copy of the complaint, and shall have a hearing before the board in person or by an attorney, and witnesses may be examined by the board respecting the guilt or innocence of the accused. The secretary on all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person the following: "This certificate was revoked on the _____ day of _____," giving the day, month and year of such revocation in accordance with said certification to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(b) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the sum of twenty-five dollars upon the issuance of a new license.

SEC. 11. (a) Every person who shall receive a license from the board shall have it recorded in the office of the county clerk of the county in which he resides, and shall have it likewise recorded in the counties into which he shall subsequently move for the purpose of practicing chiropractic.

(b) The failure or the refusal on the part of the holder of a license to have it recorded before he shall begin to practice chiropractic in this state, after having been notified by the board to do so, shall be sufficient ground to revoke or cancel a license and to render it null and void.

(c) The county clerk of each county in this state shall keep for public inspection, in a book provided for that purpose, a complete list and description of the licenses recorded by him. When any such license shall be presented to him for record he shall stamp upon the face thereof his

Refusal or
revocation
of license.

Grounds.

Hearing.

Record.

Reissue.

License to
be recorded.

Penalty.

County
clerk's
record.

signed memorandum of the date when such license was presented for record.

Annual
renewal fee.

SEC. 12. Each person practicing chiropractic within this state shall, on or before the first day of January of each year, after a license is issued to him as herein provided, pay to said board of chiropractic examiners a renewal fee of two dollars. The secretary shall, on or before November first of each year, mail to all licensed chiropractors in this state a notice that the renewal fee will be due on or before the first day of January next following. Nothing in this act shall be construed to require the receipts to be recorded in like manner as original licenses. The failure, neglect or refusal of any person holding a license or certificate to practice under this act in the State of California to pay said annual fee of two dollars during the time his or her license remains in force shall, after a period of sixty days from the first day of January of each year, ipso facto, work a forfeiture of his or her license or certificate, and it shall not be restored except upon the written application therefor and the payment to the said board of a fee of ten dollars, except that such licentiate who fails, refuses or neglects to pay such annual tax within a period of sixty days after the first day of January of each year shall not be required to submit to an examination for the reissuance of such certificate.

Notice.

Forfeiture.

Restoration.

Health
regulations.

SEC. 13. Chiropractic licentiates shall observe and be subject to all state and municipal regulations relating to all matters pertaining to the public health, and shall sign death certificates and make reports as required by law to the proper authorities, and such reports shall be accepted by the officers of the departments to which the same are made.

Report of
receipts.

SEC. 14. All moneys received by the board under this act shall be paid to the secretary of said board, who shall give a receipt for the same and shall at the end of each month report to the state controller the total amount of money received by him on behalf of said board from all sources, and shall at the same time deposit with the state treasurer the entire amount of such receipts, and the state treasurer shall place the money so received in a special fund, to be known as the "state board of chiropractic examiners' fund," which fund is hereby created. Such fund shall be expended in accordance with law for all necessary and proper expenses in carrying out the provisions of this act, upon proper claims approved by said board or a finance committee thereof.

Fund in
state
treasury.

How
expended.

Unlawful
practice.

SEC. 15. Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractor" or "D.C." or any word or title to induce, or tending to induce belief that he is engaged in the practice of chiropractic, without first complying with the provisions of this act; or any licensee under this act who uses the word "doctor" or the prefix "Dr." without the word "chiropractor," or "D.C." immediately following his name, or the use of the letters "M.D." or the words "doctor of medicine," or the term "surgeon," or the term "physician," or the word "osteopath," or the letters "D.O." or any other letters, prefixes or suffixes, the use of which would indicate that he or she was practicing a profession for which he held no license from the State of California, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty dollars and not more than two hundred dollars, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or both.

Penalty.

What not
prohibited

SEC. 16. Nothing in this act shall be construed to prohibit service in case of emergency, or the domestic administration of chiropractic, nor shall this act apply to any chiropractor from any other state or territory who is actually consulting with a licensed chiropractor in this state: *provided*, that such consulting chiropractor shall not open an office or appoint a place to receive patients within the limits of the state; nor shall this act be construed so as to discriminate against any particular school of chiropractic, or any other treatment; nor to regulate, prohibit or apply to any kind of treatment by prayer; nor to interfere in any way with the practice of religion. Nor shall this act apply to persons who are licensed under other acts.

SEC. 17. It shall be the duty of the several district attorneys of this state to prosecute all persons charged with the violation of any of the provisions of this act. It shall be the duty of the secretary of the board, under the direction of the board, to aid attorneys in the enforcement of this act. Prosecution
of violators.

SEC. 18. Nothing herein shall be construed as repealing the "medical practice act" of June 2, 1913, or any subsequent amendments thereof, except in so far as that act or said amendments may conflict with the provisions of this act as applied to persons licensed under this act, to which extent any and all acts or parts of acts in conflict herewith are hereby repealed. Repealed.

SEC. 19. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The electors hereby declare that they would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional. Constitu-
tionality.

Number
on ballot.

20. Osteopathic Act.

[Submitted by the initiative and approved by electors November 7, 1922.
In effect December 21, 1922.]

An act to establish a board of osteopathic examiners, to provide for their appointment, and to prescribe their powers and duties; to regulate the examination of applicants, who are graduates of osteopathic schools, for any form of certificate to treat disease, injuries, deformities or other physical or mental conditions; to regulate the practice of those so licensed, who are graduates of osteopathic schools; to impose upon said board of osteopathic examiners all duties and functions, relating to graduates of osteopathic schools, holding or applying for any form of certificate or license, heretofore exercised and performed by the board of medical examiners of the State of California under the provisions of the state medical practice act, approved June 2, 1913, and acts amendatory thereof.

The people of the State of California do enact as follows:

SECTION 1. A self-sustaining board of osteopathic examiners to consist of five members and to be known as the "board of osteopathic examiners of the State of California" is hereby created and established. The governor shall appoint the members of the board, each of whom shall have been a citizen of this state for at least five years next preceding his appointment. Each of the members shall be appointed from among persons who are graduates of osteopathic schools who hold unrevoked licenses or certificates to practice in this state. The governor shall fill by appointment all vacancies on the board. The term of office of each member shall be three years; *provided*, that of the first board appointed, one shall be appointed for one year, two for two years, and two for three years, and that thereafter all appointments shall be for three years, except that appointments to fill vacancies shall be for the unexpired term only. The governor shall have power to remove from office any member of the board for neglect of duty, for incompetency, or for unprofessional conduct. Each member of the board shall, before entering upon the duties of his office, take the constitutional oath of office. All fees collected on behalf of the board of osteopathic examiners and all receipts of every kind and nature, shall be reported at the beginning of each month for the month preceding, to the state controller and at the same time the entire amount must be paid into the state treasury and shall be credited to a fund to be known as the board of osteopathic examiners contingent fund, which fund is hereby created. Such contingent fund shall be for the use of the board of osteopathic examiners and out of it and not otherwise shall be paid all expenses of the board. Necessary traveling expenses and a per diem of

State
board of
osteopathic
examiners
created.

Appointment
of members.

Report of
receipts.

Fund in
state treas-
ury and its
uses.

	not to exceed ten dollars (\$10.00) for each day of actual service in the discharge of official duties may be paid each member of the board, provided the fees and other receipts of the board are sufficient to meet this expense.
Organization of board.	The governor shall appoint the members of said board within thirty days after this act takes effect. The board shall be organized within sixty days after the appointment of its members by the governor by electing from its number a president, vice president and a secretary who shall also be the treasurer, who shall hold their respective positions during the pleasure of the board. The board shall hold one meeting annually beginning on the second Tuesday in January in the city of Sacramento with power of adjournment from time to time until its business is concluded. Special meetings of the board may be held at such time and place as the board may designate. Notice of each regular or special meeting shall be given twice a week for two weeks next preceding each meeting in one daily paper published in the city of San Francisco, one published in the city of Sacramento, and one published in the city of Los Angeles which notice shall also specify the time and place of holding the examination of applicants. The secretary of the board upon an authorization from the president of the board, or the chairman of the committee may call meetings of any duly appointed committee of the board at a specified time and place and it shall not be necessary to advertise such committee meetings. The board shall receive through its secretary applications for certificates to be issued by said board and shall, on or before the first day of January in each year transmit to the governor a full report of all its proceedings together with a report of its receipts and disbursements.
Meetings.	
Applications and reports.	
Offices.	The office of the board shall be in the city of Sacramento. Sub-offices may be established in Los Angeles and San Francisco and such records as may be necessary may be transferred temporarily to such sub-offices. Legal proceedings against the board may be instituted in any one of said three cities.
Rules and proceedings.	The board may from time to time adopt such rules as may be necessary to enable it to carry into effect the provisions of this act. It shall require the affirmative vote of three members of said board to carry any motion or resolution, to adopt any rules, pass any measure or to authorize the issuance or the revocation of any certificate. Any member of the board may administer oaths in all matters pertaining to the duties of the board and the board shall have authority to take evidence in any matter cognizable by it. The board shall keep an official record of its proceedings, a part of which record shall consist of a register of all applicants for certificates under this act together with the action of the board upon each application.
Counsel and clerks.	The board shall have the power to employ legal counsel to advise and assist it in connection with all matters cognizable by the board or in connection with any litigation or legal proceedings instituted by or against said board and may also employ inspectors, special agents and investigators, and such clerical assistance as it may deem necessary to carry into effect the provisions of this act. The board may fix the compensation to be paid for such services and may incur such other expense as it may deem necessary; <i>provided, however</i> , that all of such expense shall be payable only from the said fund hereinbefore provided for and to be known as the board of osteopathic examiners contingent fund.
Incidental expenses.	
Fees.	Every applicant for any form of certificate shall pay to the secretary-treasurer of the board the fees prescribed by law. Every licentiate, or certificate holder, subject to the jurisdiction of this board, shall on or before the first day of January of each year pay to the secretary-treasurer the annual tax and registration fee prescribed by law.
Board of osteopathic examiners succeeds to all powers, etc., of board of medical examiners in regard to licensing of osteopaths.	Sec. 2. All persons who are graduates of osteopathic schools and who desire to apply for any form of certificate mentioned or provided for in the state medical practice act, approved June 2, 1913, and all acts amendatory thereof, shall make application therefor, to said board of osteopathic examiners and not to the board of medical examiners of the State of California. The board of osteopathic examiners in respect to graduates of osteopathic schools, applying for any form of certificate mentioned or provided for in the state medical practice act, approved June 2, 1913, and

all acts amendatory thereof, is hereby authorized and directed to carry out the terms and provisions of the state medical practice act, approved June 2, 1913, and all acts amendatory thereof, and all laws hereafter enacted prescribing and regulating the approval of schools, the qualifications of applicants for examination for any form of certificate, the applications for any form of certificate, the admission of applicants to examinations for any form of certificate, the conduct of examinations, the issuance of any form of certificate, the collection of fees from applicants, the collection of an annual tax and registration fee, the compilation and issuance of a directory, the revocation of any form of license or certificate, the prosecution of persons who attempt to practice without a certificate, and all other matters relating to the graduates of osteopathic schools, holding or applying for any form of certificate or license. Every applicant to said board of osteopathic examiners for any form of certificate shall pay to the secretary-treasurer of the board the fees prescribed for such application by said state medical practice act, approved June 2, 1913, or any acts amendatory thereof or laws hereafter enacted. Said board of osteopathic examiners shall, in respect to all the matters aforesaid, relating to graduates of osteopathic schools, applying for or holding any form of certificate or license, take over, exercise and perform all the functions and duties imposed upon and heretofore exercised or performed by the board of medical examiners of the State of California under the provisions of the state medical practice act, approved June 2, 1913, and acts amendatory thereof. The provisions of said state medical practice act, approved June 2, 1913, and acts amendatory thereof are hereby declared to be applicable to said board of osteopathic examiners in respect to all of the aforesaid matters and all other matters now or hereafter prescribed by law relating to the graduates of osteopathic colleges holding or applying for any form of certificate or license. In no other respects than as herein provided shall the jurisdiction, duties or functions of said board of medical examiners of the State of California be in any wise limited or changed; nor shall the board of osteopathic examiners have any power or jurisdiction over the graduates of any other than osteopathic schools. From and after the time of the organization of the board of osteopathic examiners said board of medical examiners of the State of California, shall have no further jurisdiction, duties or functions with respect to graduates of osteopathic schools holding or applying for any form of certificate or license and the said jurisdiction, duties and functions shall be assumed and performed by said board of osteopathic examiners.

SEC. 3. This act shall be known and cited as the "osteopathic act." "H.C."

ial vitamins dried milk evidence that not neces- fresh milk. and feed of g since dic- uit or veg- ce. As for limitations the domain one makes a w milk; nor e unworthy may come.

Abel and Rouiller⁵ of the Johns Hopkins University have at length succeeded in preparing products from the infundibulum which have both vasomotor and oxytocic effects. They estimate that the uterus-stimulating potency of the active principle, when once it is freed from accompanying inert material, will be found to be fifty times more powerful than that of the undeniably active histamin. The Baltimore pharmacologists conclude that there is only one specific hormone in the infundibulum, and that this substance has both vasomotor and uterus-stimulating properties, as well as a powerful effect on the kidneys. The hope of a speedy isolation of the long sought pituitary hormone as a chemical entity is somewhat shattered by the fact that the latter is unstable in laboratory manipulations, and, so far as can be judged, is present in quantities not exceeding 0.002 gm. in a single posterior lobe of the ox pituitary. In any event, however, the prospect of material progress in pituitary chemistry is decidedly promising.

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POOR CALIFORNIA

The chiropractors of California, through an adroitly worded bill and a clever and misleading propaganda, appealed for an independent chiropractic licensing board to the sympathy and a lack of understanding on the part of the voters of the state, and at the election of November 7, under the initiative, they won. They carried along with them the struggling osteopaths, who were given an independent licensing board of their own. Now the people of California can have their back bones chiropractically analyzed and adjusted, and their inflamed appendixes osteopathically rubbed to the point of rupture, by any person whom the State Board of Chiropractic Examiners or the Board of Osteopathic Examiners of the State of California, as the case may be, sees fit under the law to set loose on the suffering community. The Board of Medical Examiners of the State of California is relieved from all duty and responsibility in the premises. The only evidence of state sanity from the medical standpoint in the California situation, as far as was disclosed by the recent election, was the defeat of the measure which aimed to prevent the use of living animals for research designed to advance medical science and the welfare of men and of dumb animals.

What chiropractic is, the California law does not say. One licensed by the board of chiropractic examiners is authorized "to practice chiropractic in the state of California as taught in chiropractic schools or colleges; and, also, to use all necessary mechanical, and hygienic and sanitary measures incident to the care of the body"; but his license does not authorize "the practice of medicine, surgery, osteopathy, dentistry or

optometry, nor the use of any drug or medicine now or hereafter included in the materia medica." The law creating the board of osteopathic examiners omits altogether any definition of osteopathy, but provides that the board shall in respect to all matters relating to graduates of osteopathic schools, applying for or holding any form of certificate or license, take over, exercise and perform all the functions and duties imposed on and heretofore exercised or performed by the board of medical examiners.

What a chiropractor and an osteopath may do under licenses issued by these new boards will doubtless be determined in the courts, if interested prosecuting officers can be found who will bring prosecutions in cases of apparent violation of the law. It is said that chiropractors will be entitled to sign birth and death certificates, be health officers, and fill any official position connected with the practice of medicine and public health.

Current Comment

SHALL CHILDREN GAIN BY POUNDS OR INCHES?

The fact that growth is the foremost physiologic function characteristic of childhood is becoming recognized more extensively than ever, particularly as a result of the unprecedented activities in behalf of child welfare. Difficulties have arisen, however, in the attempts to formulate norms of growth. What shall be the index of adequate increments of size? Shall it be body weight or height or some appropriate interrelation of these measurements by pounds and inches or kilograms and centimeters, respectively? Much attention has been devoted of late to secure some satisfactory expression of a normal relation between weight and stature; and it has been debated whether the correlation should be expressed for standing or sitting height. The usual argument has intended to show that growth is satisfactory when a body is properly "rounded out" to its stature. In an elaborate study, Porter¹ of the Harvard Medical School has taken exception to current tendencies to proclaim "the supreme importance of weight in relation to height." The emphasis, he asserts, is overdone in that it tends to lessen the attention paid to growth in height. Porter proclaims the doctrine of securing the inches in healthy children, for the pounds will look after themselves. Loss of weight through sickness is, of course, in a different category. Porter reminds us that a world in which every human being had the correct number of pounds for each inch in height would be the best possible world for adults, in whom skeletal growth is hopelessly finished, but it would be a very poor world for public school children, the majority of whom have been deprived of their rightful number of inches. It is our duty, he adds, to make our children reasonably tall. Again and again it has been proved that life is more difficult for under-

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Gill, editorial, J. A. Variability of Milk,

3. Pharmacology of Useful 5, pp. 196, ff.

5. Abel, J. J., and Rouiller, C. A.: Evaluation of the Hormone of the Infundibulum of the Pituitary Gland in Terms of Histamine, with Experiments on the Action of Repeated Injections of the Hormone on the Blood Pressure, J. Pharmacol. & Exper. Therap. 20: 65 (Aug.) 1922

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The Bulletin

of the

Los Angeles County Medical Association

Published the First and Third Thursdays of Each Month
at the Office of the Association
605 Marsh-Strong Building
Los Angeles

HARLAN SHOEMAKER, M.D., Editor

Subscription Rates: One Dollar Annually; 5 Cents per Copy

Entered as second-class matter-at the postoffice at Los Angeles, California
Mar. 15th, 1919, under the Act of Aug. 24th, 1912

The Radiological Society

of

North America

DETROIT

December, 4-8, 1922

Statler Hotel

ALBERT SOILAND, M. D.
PRESIDENT

REFLECTIONS ON THE NOVEMBER ELECTION

The result of the November election indicates one of two things, either that the majority of the voters of California were unwilling to accept the advice of the medical profession on matters of public policy pertaining to health questions, or that the medical profession failed in its efforts to inform adequately the electorate.

The latter alternative appears to be ruled out by the result of the vote on the anti-vivisection initiative, which was overwhelmingly defeated. Perhaps this fact may justify the view that the voters are willing to follow the profession along certain lines, but not along others.

It would seem that the majority of the electorate did not believe that the medical profession was financially disinterested in its opposition to the chiropractic (No. 16) and osteopathic (No. 20) initiatives, and that they did believe that the medical profession was attempting to suppress the rivalry of other groups in the field of practice, and that these groups had been unfairly treated.

Many members of the medical profession assumed the attitude, "Let the public have what it wants", and they refused to co-operate or co-operated half-heartedly in the campaign against the initiatives. Those who did co-operate fully felt that it was the duty of the medical profession, being most fully conversant with the facts, to place these facts fully before the voters so that the public could decide more or less intelligently just what it did want.

We believe that the public this time decided unwisely in its vote on the two initiatives under discussion, and that time will reveal many distressing results which the nature of the new laws, initiative measures, will make it difficult or impossible to remedy.

As for the medical profession itself, it has had a great burden lifted from its shoulders, and one feels inclined to "heave a sigh of relief." Conditions heretofore have thrown upon the medical profession the responsibility of supporting and defending those appointed by the State to guard the portals of the field of medical practice against imposters, quacks and the inferiorly educated. It has been indeed a thankless task, and since the days when

the patent medicine trust and the adulterators fought "the pure food drugs act" and coined the terms "medical trust", "doctor's monopoly" etc. the medical profession has had abuse and obloquy heaped upon it by those desired for special reasons to emasculate health laws or to obstruct progress legislation.

That is over now, and the medical profession can pursue with equanimity "even tenor of its way", concerning itself with its great program of medical education, hospital betterment, and improvement of medical service to the sick.

It is imperative for the profession to maintain, and to continue even more ardently its efforts to improve, the high standards of education and training which have been self-imposed upon it during the years of its progress as a public institution. We must continue to "pay the price", and even a higher price, for the great privilege of fighting against disease and caring for the sick, and we must do whatever we can do by efficient service to counteract the damage that we fear will be done to California in the days ahead.

We, ourselves, are far from perfect. We are "no better than we ought to be". Some of us are inefficient, some are afflicted with inertia so that we fail to keep up with the march of progress, and alas! we have our human quota of those actuated by greed. Let us not be overzealous in defending ourselves. Let us rather "take stock" of ourselves, and redouble our efforts to keep faith with those who believe in us and look to us for help in their troubles. Let us strive always to improve the service that we render, and to temper efficiency with the sympathy and understanding which have always characterized the true physician.

Many civic, professional and commercial organizations and many prominent citizens as individuals co-operated with us during the campaign. Among the latter were President Barrows of the University of California and President Wilbur of Leland Stanford University, and Dr. Millikan of the California Institute of Technology. We wish to acknowledge with appreciation the assistance of

all who aided in opposing one or more of the three initiatives.

The following is a partial list of the organizations which worked with us in Los Angeles, in the order approximately of the times when they threw their influence into the campaign.

Hospitals of California

Los Angeles Safety Council

Los Angeles Saturday Night

Metropolitan Life Insurance Company

Southern California Veterinary Medical Association

Southern California Dental Association

Retail Druggists Association

Los Angeles Chamber of Commerce

Los Angeles Examiner vs. 16 and 20

Los Angeles Evening Express vs. 16.

(Signed) —E. C.
